

## **HISTORY OF STIPULATIONS OF APPROVAL FOR WHITE TANK MOUNTAIN RANCH (NOW KNOWN AS CORTESSA)**

### **1. DMP 99-06 (Original White Tank Mountain Ranch DMP):**

- a. Development and use of the site shall comply with the Development Master Plan entitled "White Tank Mountain Ranch-Development Master Plan", consisting of 40 pages, including exhibits, dated (revised) April 2001, and stamped received April 6, 2001, except as modified by the following stipulations.
- b. Dedication of additional right-of-way to bring the total half-width dedication to 70' for Olive Avenue shall be a condition of zoning approval for this development.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 55' for Citrus Road, Perryville Road and Peoria Avenue shall be a condition of zoning approval for this development.
- d. At the time of adjacent final plat approval, the applicant shall post the necessary assurances for the construction of Perryville Road. No motorized vehicular access shall be proposed from White Tank Mountain Ranch to Perryville Road.
- e. Access points and median openings on all arterial streets shall comply with Maricopa County Department of Transportation requirements.
- f. The applicant may be required, as directed by MCDOT, to relocate the elementary school site in such a fashion that it does not gain direct access, nor have frontage upon, any street classified as an urban minor arterial or higher.
- g. An archaeological survey of the subject property shall be conducted, prior to the filing of the first preliminary plat, to locate and evaluate cultural resources that might be present.
- h. The total number of dwelling units for the White Tank Mountain Ranch Development Master Plan shall not exceed 1,732, unless modification approval is provided by the Maricopa County Board of Supervisors.
- i. The developer shall be responsible for construction of all public and private on-site roadways within the designated White Tank Mountain Ranch boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public

open spaces and facilities, washes, parks, roadway median landscaping, landscaping within the public right-of-way adjacent to all major and minor arterial roadways, and of pedestrian, bicycle, and equestrian pathways.

- j. Not less than 15 acres shall be set aside and donated (upon demand) to the Dysart Unified School District to accommodate the projected need an elementary school. Developer will continue to make this site available for 15 years after the Board of Supervisors' approval of the White Tank Mountain Ranch rezoning. In the event that the site donation is not accepted and developed within the 15-year period, or in the event that the Dysart Unified School District ever ceases to use the site, the developer may retain a right of reversion to the developer or the developer's assignee.
- k. Any alteration of existing natural washes shall be done in compliance with the rules and guidelines set forth by the United States Army Corps of Engineers.
- l. Prior to the submittal of each preliminary plat, developer shall provide "will serve" letter from Arizona Public Service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona Public Service upon approval by the Maricopa County Planning and Development Department.
- m. Prior to the submittal of each preliminary plat, developer shall provide a "will serve" letter from Rural Metro Corporation. Developer may submit a "will serve" letter from a different qualified public or private fire service in place of Rural Metro Corporation upon approval by the Maricopa County Planning and Development Department.
- n. Prior to the submittal of each preliminary plat, developer shall provide a "will serve" letter from US West (Qwest) Communications. Developer may submit a "will serve" letter from a different qualified public or private telephone company in place of US West (Qwest) Communications upon approval by the Maricopa County Planning and Development Department.
- o. Prior to the submittal of each preliminary plat, developer shall provide a "will serve" letter from Southwest Gas. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Southwest Gas upon approval by the Maricopa County Planning and Development Department.

- p. Comprehensive water and wastewater master plans, prepared in accordance with the appropriate Arizona Department of Environmental Quality engineering bulletins, shall be required for review and approval prior to subdivision final plat and/or water and sewer improvement plan submittals.
- q. Proposed commercial sites within the development shall be subject to a Plan of Development overlay.
- r. One hundred dollars (\$100) per house will be paid by the developer as each residential building permit is issued to a fund for the White Tank Regional Park for trails and facilities enhancement and maintenance. The county shall deposit and hold all receipts in the parks enhancement fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by White Tank Mountain Ranch residents. Maricopa County Parks and Recreation Department will provide each residential unit in the White Tank Mountain Ranch Development Master Plan with a one-year, fifty dollar (\$50) voucher for entrance into any regional park administered by said department, except Lake Pleasant Regional Park.
- s. The applicant shall provide a minimum of 65 acres of useable open space in conjunction with this project.
- t. In addition to meeting the County's standard drainage requirements, subsequent to zoning approval and prior to preliminary plan approval, the Master Drainage Report dated April 27, 2000, shall be revised to account for the increased flows described in the District's pending report entitled "Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) Update." If subsequent to zoning approval and prior to preliminary plat approval, the owners of White Tank Mountain Ranch development and the Flood Control District negotiate an agreement to participate in a regional drainage capital improvement project, and the District's Board of Directors approves such an agreement, then the standard drainage requirements for the approved development may be modified. The project to be the subject of the agreement shall be designed and constructed to address drainage in accordance with the Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) and any revisions, and include reducing or eliminating the drainage breakouts across the Beardsley Canal that affect the White Tank Mountain Ranch Development Master Plan. The agreement will not include any provisions for the developers or owners to recoup their project contributions from future developments in the region. If attempts to

negotiate an agreement are unsuccessful, the development shall meet all of the drainage requirements as stated in the paragraph above.

- u. An updated traffic study shall be provided with each new phase of development or as requested by MCDOT. The Applicants shall provide additional offsite improvements and related right-of-way as recommended in the approved updated traffic impact study, including auxiliary lanes, and signalizing intersections in accordance with MCDOT standards.
- v. Peoria Avenue improvements between Citrus Road and Cotton Lane will be evaluated at the time any adjacent parcel develops or when a roadway connection to Peoria Avenue is proposed.
- w. Bike lanes will be required on all arterial and collector alignments as specified in the Maricopa County Bicycle Transportation System Plan.
- x. Provide rear access to all commercial parcels located at major intersections, where practicable.
- y. Development phasing shall assure two access points are provided.
- z. Major changes to this Development Master Plan (the land use plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission.
- aa. Non-compliance with the Development Master Plan (the land use plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- bb. A quality of life assessment of \$377 per unit shall be made available to the Maricopa County Library District.
- cc. Development shall commence within seven years.

2. **Z2001151 (Plan of Development for White Tank Mountain Ranch (now known as Cortessa) - a rezone from Rural-43 to Rural-43 PAD, R1-6 RUPD PAD, R1-8 RUPD PAD, and C-2 PD PAD:**
- a. Development of the site shall comply with the zoning exhibit entitled "Proposed Rezoning Map and Residential Unit Plan of Development for White Tank Mountain Ranch Rezoning from Rural-43 to RUPD", consisting of one sheet, dated (revised) December 12, 2001, and stamped received January 8, 2002, except as modified by the following stipulations.
  - b. Development of the site shall be in conformance with the narrative report entitled "White Tank Mountain Ranch", consisting of 31 pages plus exhibits, dated (revised) January 8, 2002, and stamped received January 8, 2002, except as modified by the following stipulations.
  - c. All preliminary plats for White Tank Mountain Ranch shall be in conformance with approved zoning parcels (including # of lots, area, and density) as set forth in "Exhibit K" of the zoning narrative and the approved land use plan of the Development Master Plan.
  - d. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Perryville Road, 65' for Citrus Road, 70' for Olive Road and 55' for Peoria Avenue shall occur prior to zoning clearance.
  - e. Prior to or concurrent with the submittal of a preliminary plat for any portion or phase of this development, a landscape plan is to be submitted which is consistent with the master conceptual landscape plan within the zoning narrative report.
  - f. All interior streets within the proposed development are to be constructed to minimum County standards.
  - g. Per Maricopa County Department of Transportation the following items shall be addressed with the platting of this development:
    - An updated traffic impact study shall be submitted and approved prior to submittal of the first preliminary plat. The applicant shall comply with recommendations in the approved analysis.
    - A minimum of two access points shall be provided to each individual unit or phase of the development.
    - All arterial and collector alignments shall be designed with bike lanes.

- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- i. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- j. An archaeological survey of the subject property shall be conducted, prior to the filing of the first preliminary plat, to locate and evaluate cultural resources that might be present.
- k. The total number of dwelling units for the White Tank Mountain Ranch Development Master Plan shall not exceed 1,732, unless modification approval is provided by the Maricopa County Board of Supervisors.
- l. The applicant shall provide a minimum of 65 acres of useable open space in conjunction with this project.
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- n. Written notification shall be provided to all future homeowners that they are located within the state-defined territory in the vicinity of a military airport and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats; be posted in White Tank Mountain Ranch home sales office(s); and be included in all covenants, conditions, and restrictions (CC&Rs).
- o. To help mitigate the impact of noise from military aircraft, all residential dwelling units shall be constructed to achieve a 25-decibel noise reduction.
- p. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- q. Prior to final plat approval, a licensed engineering investigation of the site shall be conducted and submitted identifying any fissures that affect the site and that the report shall include suggested mitigation of those

fissures. A note stating that earth fissures may be present on the site shall be included on the final plat.

- r. Major changes to the R.U.P.D. plan shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

3. **S2004042 (Preliminary Plat for White Tank Mountain Ranch (now known as Cortessa):**

- a. The final plat shall be generally consistent with the preliminary plat entitled "Preliminary Plat of White Tank Mountain Ranch", prepared by Coe and Van Loo Consultants, Inc., consisting of 17 full-size sheets, dated revised August 29, 2002 and date-stamped by the project engineer August 28, 2002, and stamped received August 29, 2002, except that the number of lots may be decreased due to the delineation of wider lots if the street layout, drainage patterns and other aspects of the plat otherwise remain unaltered, except as modified by the following stipulations.
- b. The final plat shall delineate floodplains as required by the Flood Control District of Maricopa County.
- c. The wastewater and water master plan for White Tank Mountain Ranch shall receive written approval by the Maricopa County Environmental Services Department prior to approval of the final plat by the Board of Supervisors.
- d. The proposed wastewater treatment facility shall receive 208 Water Quality Management Plan approval from the Maricopa Association of Governments prior to final plat approval by the Board of Supervisors.
- e. A Special Use Permit for any on-site wastewater treatment facility shall be approved by the Board of Supervisors prior to final plat approval.

- f. Designs of the water distribution and sewer collection system for each phase of White Tank Mountain Ranch shall be approved by the Maricopa County Environmental Services Department prior to final plat approval of each phase by the Board of Supervisors.
- g. Grading, drainage and improvement plans shall be submitted to and approved by the Flood Control District of Maricopa County prior to final plat approval.
- h. Prior to final plat approval, the applicant shall provide a detailed geologic report, discussing the potential of ground subsidence and earth fissuring.
- i. Prior to final plat approval, the applicant shall determine the in site soil type of Perryville channel and compare channel velocities to the maximum possible velocities stated in table 6.1 of Chapter 6 in the Drainage Design Manual for Maricopa County, Volume H, Hydraulics to ensure there will not be a sediment transport problem.
- j. Improvement plans shall be submitted to and approved by the Maricopa County Department of Transportation prior to final plat approval.
- k. Street names shall be determined upon the final plat.
- l. Prior to the issuance of building permits, a drainage clearance will be required.
- m. The applicant shall provide the standard form of assurance for the completion of improvements as set forth in the Maricopa County Subdivision Regulations.
- n. The preliminary plat shall expire one year from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date.
- o. Prior to development or any ground-disturbing activity, the applicant shall submit an archeological survey report for review and recommendations to the State Historic Preservation Office.

4. **DMP2003009 (Major Amendment to DMP 99-06):**

- a. Development and use of the site shall be in substantial compliance with the Development Master Plan exhibit entitled "Cortessa – Development Master Plan Major Amendment DMP 2003-009", consisting of one (1) full-size page and that is found as Tab 6 in the narrative report referenced in stipulation 'b'



below, dated revised February 18, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.

- b. Development and use of the site shall comply with the Development Master Plan document entitled "Narrative Report – Cortessa – Major Amendment to White Tank Mountain Ranch DMP (DMP2003009)", a bound document with 19 pages including exhibits, dated revised February 27, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
- c. Approval of this case supercedes DMP 99-06.
- d. Development shall comply with the following stipulations from the Maricopa County Department of Transportation:
  - i. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The analysis shall be updated with each phase to reflect existing conditions and any changes to the development plan.
  - ii. The traffic analysis shall be updated prior to the first Final Plat approval to reflect current conditions. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the traffic analysis. The Applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
  - iii. Developer is responsible for assuring paved access to their site at the time of the first Final Plat.
  - iv. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
  - v. All proposed primary routes (principal arterials or greater) must be consistent with County approved transportation plans.
  - vi. Dedication of additional right-of-way to bring the total half-width dedication to:

- 70' for Olive Avenue.
  - 65' for Citrus Road.
  - 65' for Perryville Road.
  - 55' for Peoria Avenue.
- vii. At the time of adjacent Final Plat approval, the applicant shall post the necessary assurance for the construction of Perryville Road.
- viii. Peoria Avenue improvements between Citrus Road and Cotton Lane will be evaluated at the time any adjacent parcel develops or when a roadway connection to Peoria Avenue is proposed.
- ix. Access points and median openings on all arterial streets shall comply with Maricopa County Department of Transportation requirements.
- x. The applicant may be required, as directed by MCDOT, to locate the elementary school drop-off and pick-up areas on private property.
- xi. The developer shall be responsible for construction of all public and private onsite roadways within the designated Cortessa boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping (on interior streets only), landscaping within the public right-of-way adjacent to all major and minor arterial roadways, and of pedestrian, bicycle, and equestrian pathways.
- xii. All-weather access shall be provided to all parcels and available to each development phase and/or subdivision unit.
- xiii. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
- xiv. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development (only on arterial roadways) to integrate traffic signals and for future ITS used.
- xv. Provide neighborhood access to commercial areas by means other than using the arterial street network.

- xvi. Proposed commercial sites within the development shall be subject to a Plan of Development overlay.
- xvii. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
- xviii. Bike lanes shall be included on all arterial and major collector alignments and meet County standard. A bicycle circulation plan shall be provided with each phase of development.
- xix. Development should be designed to promote pedestrian and bicycle use and alternative modes of transportation to public facilities within and adjacent to the site (e.g., bus bays, park-and-ride lots, internal trail systems).
- xx. Street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
- xxi. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
- xxii. Provide the ultimate half-width rights-of-way on all arterials consistent with the Maricopa County Major Streets and Routes Plan.
- xxiii. Developer will address any construction traffic routing issues that may arise.
- xxiv. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
- xxv. This project is subject to the Arizona Pollutant Discharge Elimination System (AZPDES) Stormwater requirements for construction sites under the Arizona Department of Environmental Quality. Applicant is responsible for complying with these requirements.

- e. Major changes to this Development Master Plan (the land use plan and narrative report) and the conditions of approval, shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission.
- f. Non-compliance with the Development Master Plan (the land use plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- g. The Cortessa Development Master Plan shall expire in five years from the date of approval unless a Final Plat has been approved for the first phase of development.
- h. The total number of dwelling units for the Cortessa Development Master Plan shall not exceed 1,732, unless modification approval is provided by the Maricopa County Board of Supervisors. Units shall be tracked on the subdivision plats.
- i. A revised archeological survey and cultural resources treatment plan must be submitted to the State Historic Preservation Office for their review and approval prior to any ground disturbing activity occurring on the site. Written proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department.
- j. The developer shall be responsible for construction of all public and private on-site roadways within the designated Cortessa Development Master Plan boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping, landscaping within the public right-of-way adjacent to all major and minor arterial roadways, and of pedestrian, bicycle, and equestrian pathways.
- k. Not less than 15 acres shall be set aside and donated (upon demand) to the Dysart Unified School District to accommodate the projected need of an elementary school. Developer will continue to make this site available for 15 years after the Board of Supervisors' approval of the Cortessa rezoning. In the event that the site donation is not accepted and developed within the 15-year period, or in the event that the Dysart Unified School District ever ceases to use the site, the developer may retain a right of reversion to the developer or the developer's assignee.

- l. Any alteration of existing natural washes shall be done in compliance with the rules and guidelines set forth by the United States Army Corps of Engineers.
- m. Prior to approval of each Preliminary Plat, developer shall provide "will serve" letter from Arizona Public Service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona Public Service upon approval by the Maricopa County Planning and Development Department.
- n. Prior to approval of each Preliminary Plat, developer shall provide a "will serve" letter from Rural Metro Corporation. Developer may submit a "will serve" letter from a different qualified public or private fire service in place of Rural Metro Corporation upon approval by the Maricopa County Planning and Development Department.
- o. Prior to approval of each Preliminary Plat, developer shall provide a "will serve" letter from Qwest Communications. Developer may submit a "will serve" letter from a different qualified public or private telephone company in place of Qwest Communications upon approval by the Maricopa County Planning and Development Department.
- p. Prior to the submittal of each Preliminary Plat, developer shall provide a "will serve" letter from Southwest Gas. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Southwest Gas upon approval by the Maricopa County Planning and Development Department.
- q. Comprehensive water and wastewater master plans, prepared in accordance with the appropriate Arizona Department of Environmental Quality engineering bulletins, shall be required for review and approval by the Maricopa County Environmental Services Department prior to subdivision Final Plat and/or water and sewer improvement plan submittals.
- r. A quality of life assessment of \$377 per unit shall be made available to the Maricopa County Library District.
- s. One hundred dollars (\$100) per house will be paid by the developer as each residential building permit is issued to a fund for the White Tank Regional Park for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in a park's special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not

intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Cortessa residents. Maricopa County Parks and Recreation Department will provide each residential unit in the Cortessa Development Master Plan with a voucher for one free Mountain Park Annual Pass.

- t. The applicant shall provide a minimum of 65 acres of useable open space in conjunction with this project. Open space shall be tracked on subdivision plats by type to ensure the adequate acreage of useable open space is provided.
  - u. The applicant agrees to cooperate with the Maricopa County Sheriff's Office to address the items listed in the memorandum signed by Captain Ron Stoner, District III Commander, Patrol Bureau with an attached memorandum from Ian J. Thompson, Division Commander, New Building Construction dated January 29, 2004.
  - v. Prior to Preliminary Plat approval, a revised Preliminary Drainage Report shall be submitted to the Flood Control District for review and approval. The report shall meet the County's standard drainage requirements, as well as any requirements of the Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) Update – unless the District's Board of Directors agrees to modify the standard drainage requirements for the Cortessa Development Master Plan due to its participation in a regional drainage capital improvement project.
5. **Z2003087 (Major Amendment to Z2001151 to include changes to the development standards of the RUPD Overlay Zoning District, and to increase the acreage of C-2 PD zoning district):**
- a. Development of the site shall comply with the zoning exhibit entitled "Cortessa RUPD Amendments" on the first sheet and "Cortessa RUPD Case Number Z2003087" on the second sheet, consisting of two (2) full-size sheets and that is found as Tab 5 in the narrative report referenced in stipulation 'b' below, dated revised February 13, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
  - b. Development and use of the site shall comply with the Zoning document entitled "Narrative Report – Cortessa – Major Amendment to White Tank Mountain Ranch RUPD (Z2003087)", a bound document with 70 pages including exhibits, dated revised February 27, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.

- c. Approval of this case supercedes Z2001151.
- d. The Zoning for Cortessa shall expire in five years from the date of approval unless a Final Plat has been approved for the first phase of development. Any reversion of zoning to Rural-43 will require public hearings before the Planning and Zoning Commission and the Board of Supervisors.
- e. Dedication of additional rights-of-way to bring the ultimate half-width dedication to 65' for Perryville Road, 65' for Citrus Road, 70' for Olive Road and 55' for Peoria Avenue shall occur prior to zoning clearance.
- f. The preliminary plat for any portion or phase of this development shall include a landscape plan that is consistent with the Conceptual Landscape Plan included as Tab 7 within the zoning narrative report referenced in stipulation 'b' above.
- g. All signage shall be consistent with the Comprehensive Sign Package included as Tab 8 in the zoning narrative report referenced in stipulation 'b' above. All signage and entry monumentation shall be included in the landscape plans as per stipulation 'e' above.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. An updated traffic impact study shall be submitted to the Maricopa County Department of Transportation for review and approval prior to submittal of the first Final Plat. The applicant shall comply with recommendations in the approved analysis.
- j. A minimum of two access points shall be provided to each individual unit or phase of the development.
- k. All arterial and collector alignments shall be designed with bike lanes.
- l. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- m. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

- n. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
  - o. The site is located within State-defined Territory in the Vicinity of a Military Airport and will require notice to homebuyers and sound attention in construction as a condition of subdivision plat approvals.
  - p. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted
  - q. Prior to Final Plat approval, a licensed engineering investigation of the site shall be conducted and submitted identifying any fissures that affect the site and that the report shall include suggested mitigation of those fissures. A note stating that earth fissures may be present on the site shall be included on the Final plat.
  - r. Major changes to the Plan of Development (zoning exhibit and narrative report) and the conditions of approval, shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
  - s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
6. **S2003062 (Preliminary Plat in the R1-6 RUPD PAD, R1-8 RUPD PAD, C-2 PD PAD and Rural-43 PAD zoning districts):**
- a. The final plat shall be generally consistent with the Preliminary Plat entitled "M.C. Subdivision Case # S2003062 – Preliminary Plat for Cortessa" consisting of 14 full-size sheets, dated revised February 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
  - b. Development and use of the site shall comply with the Preliminary Plat narrative report entitled "Narrative Report – Cortessa – Preliminary Plat S03-062 – NWC Citrus Road and Olive Avenue...", a bound document with 47



pages including exhibits, dated revised February 27, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.

- c. Prior to Final Plat approval, Improvement, Grading and Drainage Plans shall be submitted to and approved by the Flood Control District of Maricopa County.
- d. Prior to Final Plat submittal, the following items must be addressed:
  - Drainage Report Section 3.2 and Appendix H - The letter in Appendix H must be modified per comment #2 below and the memo from the District dated February 10, 2004 as acknowledged in a memo from DEA on March 12, 2004. This letter must be reviewed and accepted by the District, prior to commencing drainage review of the Final Plat.
  - Drainage Report Section 3.1 - Change Q100 at CP 41 to 540 cfs.
  - 3.Drainage Report Section 3.2 and Appendix H - Design an outlet/energy dissipation structure at the downstream end of the proposed culvert at Olive Rd. (on the White Tank Foothills property), which will return the flow to its pre-development velocity and taper back up to existing ground. This should be included as an interim and/or contingency design in the case that the Cortessa project is constructed prior to the White Tanks Foothills project or in the case that the White Tanks Foothills project is not constructed.
- e. After Final Plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
- f. An archeological survey and treatment plan shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit or approval of a Final Plat. The applicant must contact the state office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- g. Prior to Final Plat approval, a licensed engineering investigation of the site shall be conducted and submitted identifying any fissures, which affect the site, and that the report shall include suggested mitigation of those fissures. A note stating that earth fissures may be present on the site shall be

included on the Final Plat if determined necessary by the geotechnical report.

- h. The Final Plat shall include dedication of right-of-way as required by the related zone change request (Z2003087) and as deemed necessary by the Maricopa County Department of Transportation unless the required dedication has been completed by deed of dedication prior to the final plat approval.